

HOUSE No. 500

The Commonwealth of Massachusetts

PRESENTED BY:

Carl M. Sciortino, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to student privacy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carl M. Sciortino, Jr.	34th Middlesex
Patricia D. Jehlen	Second Middlesex
Sarah K. Peake	4th Barnstable
Elizabeth A. Malia	11th Suffolk
Ellen Story	3rd Hampshire
Denise Provost	27th Middlesex
Cory Atkins	14th Middlesex
Kay Khan	11th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 562 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO STUDENT PRIVACY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 88 of Chapter 71 of the General Laws, as appearing in the 2004 Official Edition, is hereby
2 amended by designating the existing paragraph as subsection (a) and adding thereafter the following
3 subsections:-

4 (b) The parent or legal guardian and pupil shall, at the beginning of the school year:

5 (i) be provided a form notifying them of their right under Section 503 (c)(1)(B) of Title 10 of the United
6 States Code to request, pursuant to Section 7908(a)(2) of Title 20 of the United States Code, that the
7 pupil's name, address, and telephone number listing not be released to military recruiters without prior
8 written consent of the parent or legal guardian;

9 (ii) be allowed to indicate on said form that the parent or legal guardian, or pupil chooses to make the
10 request specified in paragraph (b)(i).

11 (c) Schools shall confirm to the parent or legal guardian and pupil in writing that the request made under
12 subsection (b)(i) has been complied with within one month of the request being made.

13 (d) Any school in which the ASVAB test is to be administered shall notify students, parents, and legal
14 guardians in writing, and students by voice, at least one week prior to the administration of the test, that
15 all test results, names, and contact information may be released to the Department of Defense and that the
16 student may elect not to take the test without any penalty.

17 (e) All public high schools are prohibited from distributing contact information of students who have
18 requested that their information be kept private pursuant to subsection (b)(i) to any vendor, recruiter, or
19 third party who does not expressly agree that they will not share the student's information with military
20 recruiters.

21 (f) All written notices required in this section shall be provided in English and, to the maximum extent
22 possible, the primary language of the parent or legal guardian.